

REMARKS

In response to the Office Action mailed April 13, 2004, Applicants respectfully request reconsideration. To further the prosecution of this Application, Applicants submit the following remarks.

Claim 1-10 are pending in the present application. Claims 1 and 6 have been amended. The claims as now presented are believed to be in allowable condition.

Rejections under §102

In the Office Action of October 28, 2003 the Examiner rejected claims 1-10 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,505,342 to Hartmann et al. (hereinafter Hartmann).

The Examiner stated that Hartmann discloses the step of "ordering said test code in accordance with said sequence diagram" at column 5, lines 1-15 and at column 21, lines 20-48. Applicants respectfully disagree with the Examiner's assertion. A careful review of the Hartmann reference, particularly at column 5, lines 1-15, disclosures that Hartmann is describing an alternating bit communication protocol which incorporates a "message sequence numbering technique used to recognize missing or redundant messages and to keep up their correct order". Thus, Hartmann is describing the ordering of messages in a communication protocol. Hartmann does not disclose or suggest the generation of properly ordered test code.

Hartmann discloses at column 21, lines 20-48, a "before" event order operator. This operator requires that the left operand event be fulfilled before the right operand event. Hartmann is describing the execution of test code wherein it is necessary to wait for one event to happen before execution of another event. Hartmann does not disclose or suggest the generation of properly ordered test code.

In contrast to Hartmann, Claim 1 has been amended to recite that the step of ordering said test code in accordance with said sequence diagram is done to provide properly ordered test code. As described in the specification at page 7,

line 17 through page 9, line 10, the test code that is generated from analysis of a software component should be properly ordered to provide accurate and meaningful testing of the component. Claim 6 has been amended in a similar fashion. Thus, in the present claims, test code is generated which may not be properly ordered such that execution of the generated test code may not provide a realistic testing of the software component. A software diagramming tool is utilized to provide a sequence diagram and the test code is then ordered in accordance with the sequence diagram to provide properly ordered test code. The properly ordered test code provides a realistic testing environment for the software component.

Therefore, since amended claims 1 and 6 disclose ordering test code in accordance with a sequence diagram to provide properly ordered test code, while Hartmann fails to disclose or suggest the use of a sequence diagram to provide properly ordered test code, the rejection of claims 1 and 6 under 35 U.S.C. §102(e) is believed to have been overcome. Claims 2-5 and 7-10 depend from and further limit claims 1 and 6, claims 2-5 and 7-10 are believed allowable for at least the same reasons. Accordingly, the rejection of claims 1-10 under 35 U.S.C. §102(e) is believed to have been overcome.

The prior art made of record is not believed to disclose or suggest the present invention.

Conclusion

In view of the foregoing remarks, this Application should be in condition for allowance. A Notice to this affect is respectfully requested. If the Examiner believes, after this Response, that the Application is not in condition for allowance, the Examiner is respectfully requested to call the Applicants' Representative at the number below.

Applicants hereby petition for any extension of time which is required to maintain the pendency of this case. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50-0901.

If the enclosed papers or fees are considered incomplete, the Patent Office is respectfully requested to contact the undersigned collect at (508) 366-9600, in Westborough, Massachusetts.

Respectfully submitted,

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